UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK NJ 08933-7003

COPY MAILED

AUG 0 5 2004

OFFICE OF PETITIONS

In re Application of :
Juan Borges et al. :
Application No. 10/680,805 : DECISION GRANTING PETITION
Filed: October 7, 2003 :
Attorney Docket No. CRD-5043 :

This is a decision on the petition filed May 19, 2004 under 37 CFR 1.182 in response to the "Notice of Omitted Items" mailed March 24, 2004.

The instant application was filed October 7, 2003 and a filing date was accorded. However, according to the "Notice", it was indicated that page 6 of the specification appeared to have been omitted.

Petitioner asserts that page 6 was among the papers filed on October 7, 2003, and submits a "legible" postcard receipt in evidence thereof. The postcard receipt, identifies the application and acknowledges, inter alia, the number of specification pages to be 30 and bears a United States Patent and Trademark Office date-stamp of October 7, 2003. Further, the postcard receipt lacks any notation of non-receipt of any item listed.

In view of the foregoing, the petition is **Granted.**

Given the basis for granting the petition, no petition fee is due and thus the petition fee in the amount of $130.00 submitted May 19, 2004 will be refunded to petitioner.

This application is being forwarded to the Office of Initial Patent Examination (OIPE) for further processing, using the application papers received in the Office on October 7, 2003 and page 6 of the specification submitted May 19, 2004.

Telephone inquiries regarding this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497. Please be advised that effective September 24, 2004, the telephone number for the Office of Petitions will be changed to (571) 272-3232.

Patricia Faison-Ball

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions